

JCWSCS 1 6 AUG 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Attorney Docket No. 100157.149US2)

In re Application of: Glynn)

Examiner: To Be Assigned)

Serial No. 10/821,696)

Group Art Unit: 2182)

Filing Date: April 9, 2004)

For: BALANCED BENCHMARK TOOL FOR A MASS STORAGE SYSTEM

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted via facsimile to: 703-308-7749, Mail Stop Corrected Filing Receipt
Commissioner for Patents, P.O. Box 1450, Arlington, VA 22313-1450 on the date indicated below.

Date

8/04/04

Amanda Ripley

Mail Stop Corrected Filing Receipt
Commissioner for Patents
P.O. Box 1450
Arlington, VA 22313-1450

REQUEST FOR CORRECTED FILING RECEIPT

Sir:

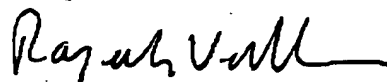
The official filing receipt mailed on June 25, 2004 for the above-referenced patent application contains an error. The "Domestic Priority Data As Claimed By Applicant" section must be corrected to read as follows:

This application is a CON of 09/542,171 04/04/2000

A copy of the Application Data Sheet as filed with the application on April 9, 2004 is attached as proof of the application's correct domestic priority claim.

No fees are believed to be due in connection with this communication. However, please charge any fees are due and/or credit any overpayment to Deposit Account No. 08-0219.

Respectfully submitted,



Rajesh Vallabh
Reg. No. 35,761
Attorney/Agent for Applicant

Date:

8-4-04

WILMER CUTLER PICKERING
HALE AND DORR LLP
60 State Street
Boston, MA 02109
(617) 526-6000
(617) 526-5000 (Facsimile)

BEST AVAILABLE COPY



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/821,696	04/09/2004	2182	856	100157-149	8	8	4

23483

WILMER CUTLER PICKERING HALE AND DORR LLP
 60 STATE STREET
 BOSTON, MA 02109

CONFIRMATION NO. 1534
 FILING RECEIPT
 0000000013068698*
 0000000013068698
 WILMER CUTLER PICKERING HALE AND DORR LLP
 DEPARTMENT OF COMMERCE
 INTELLECTUAL PROPERTY

Date Mailed: 06/25/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

William Glynn, Sherborn, MA;

Assignment For Published Patent Application

EMC Corporation, Hopkinton, MA;

Domestic Priority data as claimed by applicant

This application is a ~~GP~~ of 09/542,171 04/04/2000
 CON

Foreign Applications

If Required, Foreign Filing License Granted: 06/24/2004

Projected Publication Date: To Be Determined - pending completion of Corrected Papers

Non-Publication Request: No

Early Publication Request: No

Title

Balanced benchmark tool for a mass storage system

BEST AVAILABLE COPY

WILMER CUTLER PICKERING
 HALE And DORR LLP DOCKETING
 RE: 100157-149 052
 Action Date: 8-25-04
 Action to be Taken: Correct: J. T. F. F.
 Docketed By: DMB On: 6-28-04

Preliminary Class
712

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

BEST AVAILABLE COPY